

EXHIBIT A

TRAVIS COUNTY District Clerk

DMS Case Document List

Cause Number: d-1-gn-20-001854

<u>File Date</u>	<u>Category</u>	<u>Description</u>	<u>Additional Info</u>
3/27/2020	TDC - Civil - Pleading	ORIGINAL PETITION/APPLICATION	PLAINTIFF'S ORIGINAL PETITION
4/2/2020	TDC - Civil - Issuance	ISS:CITATION	FORM NUMBER P01-90856 ISSUED BY MELISSA ROMERO (4701) ISS:CITATION E-WRIT ISSUANCE SENT TO PRIVATE PROCESSOR/ATTORNEY 'DIRECT RESULTS' <DIRECTRESULTSLEGAL@YAHOO.COM>
4/2/2020	TDC - Civil - Issuance	ISS:CITATION	FORM NUMBER P01-90854 ISSUED BY MELISSA ROMERO (4701) ISS:CITATION E-WRIT ISSUANCE SENT TO PRIVATE PROCESSOR/ATTORNEY 'DIRECT RESULTS' <DIRECTRESULTSLEGAL@YAHOO.COM>
4/13/2020	TDC - Civil - Pleading	AMENDED PETITION/SUPPLEMENTAL	PLAINTIFF'S AMENDED ORIGINAL PETITION

3/27/2020 2:34 PM

Velva L. Price
District Clerk
Travis County
D-1-GN-20-001854
Victoria Benavides

CAUSE NO. D-1-GN-20-001854

SHAWN RAMSEY,	§	IN THE DISTRICT COURT
	§	
Plaintiff,	§	
	§	
v.	§	OF TRAVIS COUNTY, TEXAS
	§	
	§	
NGA HUMAN RESOURCES, INC. and	§	
NGA HUMAN RESOURCES, USA	§	
	§	
Defendant.	§	<u>353RD</u> JUDICIAL DISTRICT

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW plaintiff SHAWN RAMSEY and hereby files his Original Petition against NGA HUMAN RESOURCES, USA and NGA HUMAN RESOURCES, INC. and for cause of action would show this Court and Jury as follows:

DISCOVERY LEVEL

1. Discovery is intended to be conducted under Level III of Tex. R. Civ. P. 190.

JURISDICTION AND VENUE

2. Jurisdiction is proper within the District Courts of Travis County because Plaintiff's damages exceed the minimum amount in controversy for such courts.
3. Venue of this cause of action is proper in Travis County, Texas because that is where the cause of action accrued.

JURY DEMAND

4. Plaintiff demands a jury trial on all issues so triable.

PARTIES

5. Plaintiff, Shawn Ramsey, is a former employee of Defendants who lives in Travis

County, Texas.

6. Defendants, NGA HUMAN RESOURCES, INC. and NGA HUMAN RESOURCES USA maintain an office in Texas at 810 Hesters Crossing, Suite 250 Round Rock, Texas 78681. However, neither Defendant has a registered agent listed with the Texas Secretary of State. Defendants will be served with process by a process server through their local address.

EXHAUSTION OF ADMINISTRATIVE REMEDIES

7. Plaintiff filed a “Charge of Discrimination” with the Texas Workforce Commission within 180 days of Defendant’s illegal actions, and is filing this lawsuit within two years from the date that he filed his charge with the Texas Workforce Commission.

FACTS

8. Plaintiff, Shawn Ramsey was hired by Defendants in June 2017 as a Global Enterprise Sales Executive. During the time Mr. Ramsey worked for the Defendants, he worked exclusively from his home office in The Hills, Texas.

9. In or around early December 2017, Mr. Ramsey notified his manager of a medical impairment from which he was suffering. Mr. Ramsey informed him that he was not feeling well, and that he had been having severe headaches. Mr. Ramsey told his manager that he had had constant headaches on a daily basis for about a year. Mr. Ramsey told him that sometimes the headaches were not too bad, but sometimes they made it hard for him to focus and concentrate, and he needed to be able to go to a quiet and dark place. The manager asked Mr. Ramsey if he had a diagnosis, and Mr. Ramsey told him that he had had a CAT scan done that showed a mass on his right temporal lobe, and that he had been advised to consult a neurosurgeon to get an MRI. The manager responded that that didn’t sound good. Mr. Ramsey informed other employees of Defendant about these impairments as well.

10. On January 4, 2018, Defendant terminated Mr. Ramsey's employment. The reason given for the termination - downsizing and making cuts to the North American team - was a pretext for terminating Mr. Ramsey because of his disclosure of his medical impairment to Defendant.

CAUSES OF ACTION

Violations of Chapter 21, Texas Labor Code

11. Plaintiff incorporates all preceding paragraphs of this petition as if they were set forth within this cause of action.

12. Defendants are "employers" and "respondents" under the Texas Commission on Human Rights Act ("TCHRA"), Chapter 21 of the Texas Labor Code.

13. Under the TCHRA, it is unlawful for an employer to discriminate against any individual with respect to his employment because of that individual's disability.

14. Plaintiff was qualified for and could perform the essential functions of his job at the time of his termination. Plaintiff is a qualified individual with a disability, is a qualified individual with a record of a disability, and was regarded by the Defendant as a person with a disability. Plaintiff was substantially limited in major life activities, including seeing and concentrating.

15. Defendant violated the TCHRA by intentionally discriminating against Plaintiff because of his disability, his record of disability, and/or because Defendant regarded Plaintiff as disabled. Plaintiff's disability and/or Defendant's perception of Plaintiff as a person with a disability moved Defendant toward its decision or was a factor that played a part in Defendant's employment decisions as to Plaintiff.

NO FEDERAL LAW CLAIMS

16. By this reference, Plaintiff hereby incorporates all preceding paragraphs of this petition as if they were set forth herein.

17. Plaintiff states that any and all claims and any and all requests for damages are made pursuant to Texas State law and to the exclusion of any Federal law.

DAMAGES

18. As a direct and proximate result of Defendant's violations of law, Plaintiff has suffered actual economic damages in the form of lost wages and/or benefits (past and future) and other economic damages and losses. Plaintiff has also suffered real and serious emotional distress, loss of enjoyment of life, and other compensatory damages and losses. Further, the conduct committed by Defendant against Plaintiff is the type of conduct demonstrating malice or reckless indifference to the rights of the Plaintiff. Therefore, Plaintiff additionally brings suit for punitive damages.

19. As a result of Defendant's violations of law, Plaintiff requests all actual, economic, compensatory, and other damages or remedies to which he proves himself entitled, equitable, statutory or otherwise, and attorney fees, expert fees, expenses and costs.

20. Plaintiff's damages are ongoing and at the time of the filing of this suit, Plaintiff cannot accurately specify the amount that Plaintiff will ultimately seek at trial. However, Rule 47, Texas Rules of Civil Procedure, requires Plaintiff to estimate a preliminary range of damages and accordingly, Plaintiff states that at this time this suit seeks monetary relief, including attorneys fees, costs, expenses, interest and other monetary expenses, over \$200,000, but not more than \$1,000,000. Plaintiff reserves the right to seek a different amount at trial as the evidence so supports.

PRAYER FOR RELIEF

21. WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully prays that Defendant be cited and called to answer, and that on final judgment Plaintiff be granted relief under Texas State law, to the exclusion of Federal law, including:

- a) Reinstatement or, in the alternative, front pay
- b) Damages for lost wages and benefits, past and future;
- c) Compensatory damages;
- d) Damages for emotional distress and mental anguish, past and future;
- e) Punitive damages
- f) Attorney fees, expert fees, expenses and costs of suit;
- g) Interest allowed by law;
- h) General damages;
- i) Special damages;
- j) Such other and further relief if Plaintiff is shown to be entitled.

Respectfully submitted,

/s/ Kell A. Simon

Kell A. Simon

State Bar No. 24060888

LAW OFFICES OF KELL A. SIMON

501 North IH-35, Suite 111

Austin, Texas 78702

Phone (512) 898-9662

Fax (512) 368-9144

kell@kellsimonlaw.com

ATTORNEY FOR PLAINTIFF


CAUSE NUMBER (FOR CLERK USE ONLY):

COURT (FOR CLERK USE ONLY):

STYLED **Shawn Ramsey v. NGA Human Resources, Inc. et al.**

(e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing.

1. Contact information for person completing case information sheet:		Names of parties in case:		Person or entity completing sheet is:
Name: Kell Simon	Email: kell@kellsimonlaw.com	Plaintiff(s)/Petitioner(s): Shawn Ramsey	<input checked="" type="checkbox"/> Attorney for Plaintiff/Petitioner <input type="checkbox"/> Pro Se Plaintiff/Petitioner <input type="checkbox"/> Title IV-D Agency <input type="checkbox"/> Other: _____	
Address: 501 North IH35 Suite 111	Telephone: 512-898-9662	Defendant(s)/Respondent(s): NGA Human Resources, Inc. and NGA Human Resources, USA	Additional Parties in Child Support Case:	
City/State/Zip: Austin, TX 78702	Fax: 512-3689144		Custodial Parent: _____	
Signature: 	State Bar No: 24060888		Non-Custodial Parent: _____	
			Presumed Father: _____	
[Attach additional page as necessary to list all parties]				
2. Indicate case type, or identify the most important issue in the case (select only 1):				
Civil			Family Law	
Contract <i>Debt/Contract</i> <input type="checkbox"/> Consumer/DTPA <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Other Debt/Contract: _____ <i>Foreclosure</i> <input type="checkbox"/> Home Equity—Expedited <input type="checkbox"/> Other Foreclosure <input type="checkbox"/> Franchise <input type="checkbox"/> Insurance <input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Non-Competition <input type="checkbox"/> Partnership <input type="checkbox"/> Other Contract: _____	Injury or Damage <input type="checkbox"/> Assault/Battery <input type="checkbox"/> Construction <input type="checkbox"/> Defamation <i>Malpractice</i> <input type="checkbox"/> Accounting <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional Liability: _____ <input type="checkbox"/> Motor Vehicle Accident <input type="checkbox"/> Premises <i>Product Liability</i> <input type="checkbox"/> Asbestos/Silica <input type="checkbox"/> Other Product Liability List Product: _____ <input type="checkbox"/> Other Injury or Damage: _____	Real Property <input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Trespass to Try Title <input type="checkbox"/> Other Property: _____ Related to Criminal Matters <input type="checkbox"/> Expunction <input type="checkbox"/> Judgment Nisi <input type="checkbox"/> Non-Disclosure <input type="checkbox"/> Seizure/Forfeiture <input type="checkbox"/> Writ of Habeas Corpus—Pre-indictment <input type="checkbox"/> Other: _____	Marriage Relationship <input type="checkbox"/> Annulment <input type="checkbox"/> Declare Marriage Void <i>Divorce</i> <input type="checkbox"/> With Children <input type="checkbox"/> No Children Other Family Law <input type="checkbox"/> Enforce Foreign Judgment <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Name Change <input type="checkbox"/> Protective Order <input type="checkbox"/> Removal of Disabilities of Minority <input type="checkbox"/> Other: _____	Post-judgment Actions (non-Title IV-D) <input type="checkbox"/> Enforcement <input type="checkbox"/> Modification—Custody <input type="checkbox"/> Modification—Other Title IV-D <input type="checkbox"/> Enforcement/Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Reciprocals (UIFSA) <input type="checkbox"/> Support Order Parent-Child Relationship <input type="checkbox"/> Adoption/Adoption with Termination <input type="checkbox"/> Child Protection <input type="checkbox"/> Child Support <input type="checkbox"/> Custody or Visitation <input type="checkbox"/> Gestational Parenting <input type="checkbox"/> Grandparent Access <input type="checkbox"/> Parentage/Paternity <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Other Parent-Child: _____
Employment <input checked="" type="checkbox"/> Discrimination <input type="checkbox"/> Retaliation <input type="checkbox"/> Termination <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other Employment: _____	Other Civil <input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Antitrust/Unfair Competition <input type="checkbox"/> Code Violations <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Intellectual Property <input type="checkbox"/> Lawyer Discipline <input type="checkbox"/> Perpetuate Testimony <input type="checkbox"/> Securities/Stock <input type="checkbox"/> Tortious Interference <input type="checkbox"/> Other: _____			
Tax <input type="checkbox"/> Tax Appraisal <input type="checkbox"/> Tax Delinquency <input type="checkbox"/> Other Tax: _____	Probate & Mental Health <i>Probate/Wills/Intestate Administration</i> <input type="checkbox"/> Dependent Administration <input type="checkbox"/> Independent Administration <input type="checkbox"/> Other Estate Proceedings <input type="checkbox"/> Guardianship—Adult <input type="checkbox"/> Guardianship—Minor <input type="checkbox"/> Mental Health <input type="checkbox"/> Other: _____			
3. Indicate procedure or remedy, if applicable (may select more than 1):				
<input type="checkbox"/> Appeal from Municipal or Justice Court <input type="checkbox"/> Arbitration-related <input type="checkbox"/> Attachment <input type="checkbox"/> Bill of Review <input type="checkbox"/> Certiorari <input type="checkbox"/> Class Action	<input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Interpleader <input type="checkbox"/> License <input type="checkbox"/> Mandamus <input type="checkbox"/> Post-judgment	<input type="checkbox"/> Prejudgment Remedy <input type="checkbox"/> Protective Order <input type="checkbox"/> Receiver <input type="checkbox"/> Sequestration <input type="checkbox"/> Temporary Restraining Order/Injunction <input type="checkbox"/> Turnover		
4. Indicate damages sought (do not select if it is a family law case):				
<input type="checkbox"/> Less than \$100,000, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees <input type="checkbox"/> Less than \$100,000 and non-monetary relief <input type="checkbox"/> Over \$100,000 but not more than \$200,000 <input checked="" type="checkbox"/> Over \$200,000 but not more than \$1,000,000 <input type="checkbox"/> Over \$1,000,000				

Instructions for Completing the Texas Civil Case Information Sheet

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing. If the original petition, application or post-judgment petition or motion is e-filed, the case information sheet must not be the lead document.

This sheet, required by Rule 78a of the Texas Rules of Civil Procedure, is intended to collect information that will be used for statistical and administrative purposes only. It neither replaces nor supplements the filings or service of pleading or other documents as required by law or rule. The sheet does not constitute a discovery request, response, or supplementation, and it is not admissible at trial.

The attorney or self-represented (*pro se*) plaintiff/petitioner filing the case or post-judgment petition or motion should complete the sheet as follows:

1. Contact information

a) Contact information for person completing case information sheet. Enter the following information:

- name;
- address;
- city, state, and zip code;
- email address;
- telephone number;
- fax number, if available;
- State Bar number, if the person is an attorney; and
- signature. (*NOTE: When a case information sheet is submitted electronically, the signature may be a scanned image or “/s/” and the name of the person completing the case information sheet typed in the space where the signature would otherwise appear.*)

b) Names of parties in the case. Enter the name(s) of the:

(*NOTE: If the name of a party to a case is confidential, enter the party’s initials rather than the party’s name.*)

- plaintiff(s) or petitioner(s);
- defendant(s) or respondent(s); and
- in child support cases, additional parties in the case, including the:
 - custodial parent;
 - non-custodial parent; and
 - presumed father.

Attach an additional page as necessary to list all parties.

c) Person or entity completing sheet is. Indicate whether the person completing the sheet, or the entity for which the sheet is being completed, is:

- an attorney for the plaintiff or petitioner;
- a *pro se* (self-represented) plaintiff or petitioner;
- the Title IV-D agency; or
- other (provide name of person or entity).

2. Case type.

Select the case category that best reflects the most important issue in the case. *You must select only one.*

3. Procedure or remedy.

If applicable, select any of the available procedures or remedies being sought in the case. You may select more than one.

4. Damages sought.

Select the damages being sought in the case:

(*NOTE: If the claim is governed by the Family Code, do **not** indicate the damages sought.*)

- only monetary relief of \$100,000 or less, including damages of any kind, penalties, costs, expenses, pre-judgment interest and attorney fees;
- monetary relief over \$100,000 or less and non-monetary relief;
- monetary relief over \$100,000 but not more than \$200,000;
- monetary relief over \$200,000 but less than \$1,000,000; or
- monetary relief over \$1,000,000.

C I T A T I O N
T H E S T A T E O F T E X A S

CAUSE NO. D-1-GN-20-001854

SHAWN RAMSEY,

, Plaintiff

vs.

NGA HUMAN RESOURCES, INC.AND NGA HUMAN RESOURCES, USA

, Defendant

TO: NGA HUMAN RESOURCES INC
810 HESTERS CROSSING STE 250
ROUND ROCK, TEXAS 78681

Defendant, in the above styled and numbered cause:

YOU HAVE BEEN SUED. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 A.M. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

Attached is a copy of the PLAINTIFF'S ORIGINAL PETITION of the PLAINTIFF in the above styled and numbered cause, which was filed on MARCH 27,2020 in the 353RD JUDICIAL DISTRICT COURT of Travis County, Austin, Texas.

ISSUED AND GIVEN UNDER MY HAND AND SEAL of said Court at office, April 02, 2020.

REQUESTED BY:
KELL ASCHER SIMON
501 N INTERSTATE 35 STE 111
AUSTIN, TX 78702-3233
BUSINESS PHONE:(512)898-9662 FAX:(512)368-9144



[Signature]
Valva L. Price
Travis County District Clerk
Travis County Courthouse
1000 Guadalupe, P.O. Box 679003 (78767)
Austin, TX 78701

PREPARED BY: MELISSA ROMERO

-- - -- - -- - -- - -- - -- **R E T U R N** -- - -- - -- - -- - -- - --

Came to hand on the _____ day of _____, _____ at _____ o'clock ____ M., and executed at _____ within the County of _____ on the _____ day of _____, _____, at _____ o'clock ____ M., by delivering to the within named _____, each in person, a true copy of this citation together with the PLAINTIFF'S ORIGINAL PETITION accompanying pleading, having first attached such copy of such citation to such copy of pleading and endorsed on such copy of citation the date of delivery.

Service Fee: \$ _____

Sheriff / Constable / Authorized Person

Sworn to and subscribed before me this the

By: _____

_____ day of _____, _____.

Printed Name of Server

Notary Public, THE STATE OF TEXAS

County, Texas

D-1-GN-20-001854

SERVICE FEE NOT PAID

P01 - 000090854

☐ Original

☐ Service Copy

C I T A T I O N
T H E S T A T E O F T E X A S

CAUSE NO. D-1-GN-20-001854

SHAWN RAMSEY,

, Plaintiff

vs.

NGA HUMAN RESOURCES, INC.AND NGA HUMAN RESOURCES, USA

, Defendant

TO: NGA HUMAN RESOURCES USA
810 HESTERS CROSSING STE 250
ROUND ROCK, TEXAS 78681

Defendant, in the above styled and numbered cause:

YOU HAVE BEEN SUED. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 A.M. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

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ISSUED AND GIVEN UNDER MY HAND AND SEAL of said Court at office, April 02, 2020.

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KELL ASCHER SIMON
501 N INTERSTATE 35 STE 111
AUSTIN, TX 78702-3233
BUSINESS PHONE:(512)898-9662 FAX:(512)368-9144



[Signature]
Valva L. Price
Travis County District Clerk
Travis County Courthouse
1000 Guadalupe, P.O. Box 679003 (78767)
Austin, TX 78701

PREPARED BY: MELISSA ROMERO

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Sheriff / Constable / Authorized Person

Sworn to and subscribed before me this the

By: _____

_____ day of _____, _____.

Printed Name of Server

Notary Public, THE STATE OF TEXAS

County, Texas

D-1-GN-20-001854

SERVICE FEE NOT PAID

P01 - 000090856

☐ Original

☐ Service Copy

4/13/2020 4:06 PM

Velva L. Price
District Clerk
Travis County
D-1-GN-20-001854
Adrian Rodriguez

CAUSE NO. D-1-GN-20-001854

SHAWN RAMSEY,	§	IN THE DISTRICT COURT
	§	
Plaintiff,	§	
	§	
v.	§	OF TRAVIS COUNTY, TEXAS
	§	
	§	
NORTHGATEARINSO, INC. D/B/A/	§	
NGA HUMAN RESOURCES, INC. and	§	
NGA HUMAN RESOURCES USA	§	
	§	
Defendant.	§	_____ JUDICIAL DISTRICT

PLAINTIFF'S AMENDED ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW plaintiff SHAWN RAMSEY and hereby files his Amended Original Petition against NORTHGATEARINSO, INC. and for cause of action would show this Court and Jury as follows:

DISCOVERY LEVEL

1. Discovery is intended to be conducted under Level III of Tex. R. Civ. P. 190.

JURISDICTION AND VENUE

2. Jurisdiction is proper within the District Courts of Travis County because Plaintiff's damages exceed the minimum amount in controversy for such courts.
3. Venue of this cause of action is proper in Travis County, Texas because that is where the cause of action accrued.

JURY DEMAND

4. Plaintiff demands a jury trial on all issues so triable.

PARTIES

5. Plaintiff, Shawn Ramsey, is a former employee of Defendants who lives in Travis County, Texas.

6. Defendant, NorthgateArinso, Inc, D/B/A/, NGA HUMAN RESOURCES, INC. and NGA HUMAN RESOURCES USA maintain an office in Texas at 810 Hesters Crossing, Suite 250 Round Rock, Texas 78681, but does not have a registered agent in Texas. Counsel for NorthgateArinso, Inc., Bruce Griggs of the law firm of Ogletree Deakins, has agreed to accept service on behalf of NorthgateArinso, Inc.

EXHAUSTION OF ADMINISTRATIVE REMEDIES

7. Plaintiff filed a “Charge of Discrimination” with the Texas Workforce Commission within 180 days of Defendant’s illegal actions, and is filing this lawsuit within two years from the date that he filed his charge with the Texas Workforce Commission.

FACTS

8. Plaintiff, Shawn Ramsey was hired by Defendants in June 2017 as a Global Enterprise Sales Executive. During the time Mr. Ramsey worked for the Defendants, he worked exclusively from his home office in The Hills, Texas.

9. In or around early December 2017, Mr. Ramsey notified his manager of a medical impairment from which he was suffering. Mr. Ramsey informed him that he was not feeling well, and that he had been having severe headaches. Mr. Ramsey told his manager that he had had constant headaches on a daily basis for about a year. Mr. Ramsey told him that sometimes the headaches were not too bad, but sometimes they made it hard for him to focus and concentrate, and he needed to be able to go to a quiet and dark place. The manager asked Mr. Ramsey if he had a diagnosis, and Mr. Ramsey told him that he had had a CAT scan done that showed a mass on his right temporal lobe, and that he had been advised to consult a neurosurgeon to get an MRI. The

manager responded that that didn't sound good. Mr. Ramsey informed other employees of Defendant about these impairments as well.

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Violations of Chapter 21, Texas Labor Code

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14. Plaintiff was qualified for and could perform the essential functions of his job at the time of his termination. Plaintiff is a qualified individual with a disability, is a qualified individual with a record of a disability, and was regarded by the Defendant as a person with a disability. Plaintiff was substantially limited in major life activities, including seeing and concentrating.

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NO FEDERAL LAW CLAIMS

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PRAYER FOR RELIEF

21. WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully prays that Defendant be cited and called to answer, and that on final judgment Plaintiff be granted relief under Texas State law, to the exclusion of Federal law, including:

- a) Reinstatement or, in the alternative, front pay
- b) Damages for lost wages and benefits, past and future;
- c) Compensatory damages;
- d) Damages for emotional distress and mental anguish, past and future;
- e) Punitive damages
- f) Attorney fees, expert fees, expenses and costs of suit;
- g) Interest allowed by law;
- h) General damages;
- i) Special damages;
- j) Such other and further relief if Plaintiff is shown to be entitled.

Respectfully submitted,

/s/ Kell A. Simon

Kell A. Simon

State Bar No. 24060888

LAW OFFICES OF KELL A. SIMON

501 North IH-35, Suite 111

Austin, Texas 78702

Phone (512) 898-9662

Fax (512) 368-9144

kell@kellsimonlaw.com

ATTORNEY FOR PLAINTIFF